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Raymond D. Thompson  
Uniroyal Chemical Company Inc.  
World Headquarters  
Middlebury, CT 06749

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**OFFICE OF PETITIONS**

In re Application of  
A. J. DiMaio et al.  
Application No. 09/637,791  
Filed: August 11, 2000  
Attorney Docket No. D-6384

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 25, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner in reply to the non-final Office action mailed September 9, 2002, which set a shortened statutory period for reply of One Month (1) from the mail date of the Notice. No extensions of time were obtained. Accordingly, the application became abandoned on October 10, 2002.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 1764.



Latrice Bond  
Paralegal Specialist  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Crompton Corporation  
199 Benson Road  
Middlebury, CT 06749